

COMMONWEALTH OF MASSACHUSETTS

NOTICE OF THE
REGULARLY SCHEDULED MEETING OF THE
BOARD OF REGISTRATION OF PHYSICIAN ASSISTANTS

Thursday, November 14, 2013
9:30 a.m.

239 Causeway Street ~ 4th Floor ~ Room 417A
Boston, Massachusetts 02114

AGENDA

Time	Item #	Item	Document(s)	Staff Contact(s)
9:30 a.m.	I.	Call to Order Determination of Quorum		
	II.	Approval of Agenda	Draft Agenda	
	III.	Approval of Minutes A. October 10, 2013 Regularly Scheduled Meeting	Draft Minutes	
	IV.	Adjudicatory Session	Closed Session	
	V.	M.G.L. c. 112, § 65C Session	Closed Session	PB/MC/IH
	VI.	Executive Session (Roll call vote)	Closed Session	IH
	VII.	Initial License Application Review None		
	VIII.	License Reactivation Application Review None		

	IX.	Staff Assignments A. <u>SA-INV-2892</u> <u>Krupa, Melanie</u> <u>License No. 1772</u> (Expires: 03/01/2015) Allegations: Unprofessional conduct	Investigative Report and Supporting Documents	MC/IH
	X.	Complaints None		
	XI.	Scope of Practice Inquiries A. Inquiries from Frederick R. Zufelt, Esq. 1. PA Supervision 2. Employment of PA 3. PA as Independent Contractor v. "W-2 Employee"	Practice Inquiry	IH
	XII.	Other Business/Announcements A. Distribution of copies of 263 CMR 5.00 reflecting deletion of Section 5.05(2) (PA/supervising physician ratio) B. Follow-up related to letter requested for St. Vincent's Hospital C. Election of Board Officers: Chair, Vice-Chair	Copy of 263 CMR 5.00	MP IH
12:00 p.m.	XIII.	Adjournment		

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF PHYSICIAN ASSISTANTS

BOARD MEETING

November 14, 2013
239 Causeway Street, Room 417
Boston, MA 02114

MINUTES

Board Members Present: Dipu Patel-Junankar, PA-C, Chair
Miguel Valdez, PA-C, Vice-Chair
Edward Glinski, MD, Board Member
Laura Hilf, RN, MS, Board Member
Richard Baum, MD, MMS Member (arrived at 9:44 a.m.)
Nicole Meregian, PA-C, Board Member

Board Member Not Present: Shannon Sheridan-Geldart, PA-C, Physician Assistant Educator

Staff Present: Ichelle Herbu, Assistant Executive Director, DHPL
Anson Chu, Administrative Assistant, DHPL
Madeline Piper, Deputy General Counsel, Office of the General Counsel
Marjorie Campbell, Nursing Investigator Supervisor, Office of Public Protection, DHPL
Carey Lambert, Board Investigator, Office of Public Protection, DHPL (left at 10:25 a.m.)
Curtis Jackson, MPRS Coordinator, DHPL

Staff Not Present: Annette O'Brien, Interim Executive Director, DHPL
Joelle Stein, Board Counsel, Office of General Counsel, DPH

- I. Call to Order – Determination of Quorum
A quorum of the Board was present. Ms. Patel-Junankar, Board Chair, called the meeting to order at 9:38 a.m.

- II. Approval of the Agenda
The Meeting Agenda was reviewed. Dr. Glinski made a motion to approve the agenda as amended, item VI, Executive Session, deferred to the next Scheduled Board Meeting agenda and item XII D, Update: Fluoroscopy Exam, added to the agenda; Ms. Meregian seconded the motion. The motion passed unanimously.

Document: November 14, 2013 Board Meeting Agenda
Board Meeting Agenda November 14, 2013
Board of Registration of Physician Assistants

III. Approval of Minutes

A. Minutes of the October 10, 2013 Regularly Scheduled Board Meeting

The Minutes of the October 10, 2013 Regularly Scheduled Board Meeting were reviewed.

Ms. Patel-Junankar was not present at the October 10, 2013 meeting and indicated she would abstain. Mr. Valdez made a motion to defer the approval of the Minutes until a quorum was again present to approve the October Meeting Minutes; Ms. Meregian seconded the motion. The motion passed unanimously

[Dr. Baum arrived to the meeting at 9:44 a.m.]. The Minutes of the October 10, 2013 Regularly Scheduled Board Meeting were reviewed. Mr. Valdez made a motion to approve the Minutes as presented; Dr. Glinski seconded the motion. The motion passed with Ms. Meregian, Dr. Baum, and Ms. Hilf in favor, Ms. Patel-Junankar abstained from voting.

Document: October 10, 2013 Regularly Scheduled Board Meeting Minutes

IV. Adjudicatory Session (closed session)

Ms. Patel-Junankar was not present at the October 10, 2013 meeting; therefore, Mr. Valdez made a motion to defer the approval of the Minutes until a quorum is present to approve the Minutes, after item XIII; Ms. Meregian seconded the motion. The motion passed unanimously.

[Dr. Baum arrived to the meeting at 9:44 a.m.] The Minutes of the October 10, 2013 Adjudicatory Session were reviewed. Ms. Hilf made a motion to approve the Minutes as presented; Dr. Baum seconded the motion. Ms. Patel-Junankar abstained from voting. The motion passed with Dr. Glinski, Ms. Meregian, and Mr. Valdez in favor.

Document: October 10, 2013 Adjudicatory Session Board Meeting Minutes

V. M.G.L. c. 112, § 65C Session (closed session)

[Ms. Meregian made a motion to go into the § 65C Session at 9:46 a.m.; Ms. Hilf seconded the motion. The motion passed unanimously.]

[The Board adjourned the Section 65C Session at 10:18 a.m. and resumed its Regularly Scheduled Board Meeting.]

VI. Executive Session (closed session)
(Roll call vote)

Ms. Herbu informed the Board that this item will be deferred until the next scheduled Board Meeting.

VII. Initial License Application Review

None.

VIII. License Reactivation Application Review

None.

IX. Staff Assignments

A. SA-INV-2892 Krupa, Melanie License No. 1772 (Expires: 03/01/2015)

Allegations: Unprofessional conduct

Ms. Merejian made a motion to close the staff assignment as there is insufficient evidence of any failure to meet accepted standards of practice; Mr. Valdez seconded the motion. The motion passed unanimously.

Document: Staff Assignment file and related materials

X. Complaints

None.

XI. Scope of Practice Inquiries

A. Inquiries from Frederick R. Zufelt, Esq.

A. PA Supervision

B. Employment of PA

C. PA as Independent Contractor v. "W-2 Employee"

After discussion, the Board determined that a supervising physician does not need to be physically available unless otherwise stated in the practice guidelines; however, a PA must be able to communicate with his/her supervising physician at all times via telephone, email, or any other method of communication. If the supervising physician is unable or unavailable, another licensed physician must be designated to assume temporary supervisory responsibilities with respect to the physician assistant. Further, the Board determined that the Board regulations or policy does not prohibit a PA from being employed by a business corporation that is not a physician, group of physicians, or a health care facility. However, the Board directed that PAs working in any setting as an employee or independent contractor to be advised that they must comply with current Board regulations governing PA practice, 263 CMR 2.00 et seq., including 5.00, *Scope of Practice and Employment of Physician Assistants*.

Document: Email Inquiry

XII. Other Business/Announcements

D. Distribution of copies of 263 CMR 5.00 reflecting deletion of Section 5.05(2) (PA/supervising physician ratio)

Ms. Herbu informed the Board that the final version of the 263 CMR 5.00 regulations is posted on the Division's website.

E. Follow-up related to letter requested for St. Vincent's Hospital

Ms. Herbu informed the Board that the Board last reviewed unlicensed practice application for a Licensee employed by St. Vincent's Hospital in November 2011.

After the September 2013 meeting, Ms. O'Brien, Interim Executive Director, spoke to the Vice President of Human Resources at St. Vincent's Hospital, and informed her of the Board's concerns regarding unlicensed practice; however, a letter was not sent to St. Vincent's Hospital.

F. Election of Board Officers: Chair, Vice-Chair

Current Chair: Dipu Patel-Junankar

Current Vice-Chair: Miguel Valdez

Dr. Baum made a motion to nominate Ms. Patel-Junankar as the Chair; Ms. Meregian seconded the motion. The motion passed unanimously.

Ms. Hilf made a motion to nominate Mr. Valdez as the Vice-Chair, and Ms. Meregian seconded the motion. The motion passed unanimously.

G. Update: Fluoroscopy Exam

Ms. Herbu informed the Board that Radiation Control Program reported that to date, seventeen PAs have submitted requests to take the fluoroscopy exam and all have been approved to take the ARRT exam. Further, Board staff will inquire whether MAPA could post information on MAPA's website and newsletter regarding the new regulations authorizing PAs to perform Fluoroscopy Procedures.

Dr. Baum requested that Board staff provide Board members monthly updates.

XIII. Adjourn

There being no other business before the Board, Ms. Hilf made a motion to adjourn the Meeting; Dr. Glinski seconded the motion. The motion passed unanimously. The Meeting adjourned at 10:37 a.m.

The next meeting of the Board of Registration of Physician Assistants will be held on Thursday, December 12, 2013, at 9:30 a.m. at 239 Causeway Street, Boston, Massachusetts.

Respectfully submitted:

Dipu Patel-Junankar, PA-C
Chair

Date